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(Appearance Pro Hac Vice)

16 Attorneys for Defendant GROCERY OUTLET, INC.

17 IN THE UNITED STATES DISTRICT COURT

18 THE NORTHERN DISTRICT OF CALIFORNIA

19 SAN JOSE DIVISION

20 GARDEN MEADOW, INC., a Connecticut) Case No. 5:12-cv-04811-LHK (PSG)
21 Corporation,)
22 Plaintiff,) **STIPULATION AND [PROPOSED]**
23 v.) **ORDER EXTENDING THE TIME TO**
24) **FILE A RESPONSIVE PLEADING**
25 GROCERY OUTLET, INC., a California)
26 Corporation doing business as GROCERY)
27 OUTLET and as IDEAL DISTRIBUTING)
28 and)
JOHN DOES Numbers 1 through 99,)
Defendants.)

Pursuant to Local Rule 6-1(a), plaintiff Garden Meadow, Inc. (“Garden Meadow”) and defendant Grocery Outlet, Inc. (doing business as Grocery Outlet and Ideal Distributing) (“Grocery Outlet”), hereby stipulate as follows:

a. WHEREAS the complaint and summons was served on Grocery Outlet on September 20, 2012;

1 b. WHEREAS Garden Meadows and Grocery Outlet previously stipulated to extend
2 the time by which Grocery Outlet must file a responsive pleading to the complaint to October 30,
3 2012;

4 e. WHEREAS Garden Meadows and Grocery Outlet desire additional time to attempt
5 to resolve the action and/or attempt to narrow the areas of dispute between the parties before
6 Grocery Outlet files a responsive pleading;

7 f. WHEREAS neither party believes this extension will substantially impact the
8 overall case schedule;

9 g. THEREFORE, Garden Meadows and Grocery Outlet, by their respective
10 undersigned counsel, stipulate and agree as follows: the deadline for Grocery Outlet to file a
11 responsive pleading to the complaint shall be extended to November 9, 2012.

IT IS SO STIPULATED.

Dated: October 30, 2012

WATT, TIEDER, HOFFAR
& FITZGERALD, L.L.P.

By: /s/ Kyle Anne Citrynell

Kyle Anne Citrynell
Attorneys for Plaintiff
GARDEN MEADOW, INC.

Dated: October 30, 2012

DAVIS WRIGHT TREMAINE LLP

By: /s/ Sanjay M. Nangia

Sanjay M. Nangia
Attorneys for Defendant
GROCERY OUTLET, INC.

1 Pursuant to Local Rule 5-1, I am the ECF user whose identification and password are
2 being used to file this document. I attest that concurrence in the filing of this document has been
3 obtained from stipulating plaintiff. I have retained records to support this concurrence for
4 subsequent production for the Court, if so ordered, or for inspection upon request by a party, until
5 one year after the final resolution of the action (including appeal, if any).

6
7 By: /s/ Sanjay M. Nangia
8 Sanjay M. Nangia
9 Attorneys for Defendant
GROCERY OUTLET, INC.
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DAVIS WRIGHT TREMAINE LLP

1 **IT IS SO ORDERED.**
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3 Dated: Qewqdgt"53, 2012

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Hon. Lucy H. Koh, United States District Judge

DAVIS WRIGHT TREMAINE LLP

PROOF OF SERVICE

I, Katie Nelson, declare under penalty of perjury under the laws of the State of California
that the following is true and correct:

I am over the age of 18 and am an employee of Davis Wright Tremaine LLP, and my business address is 505 Montgomery Street, Suite 800, San Francisco, California 94111-6533.

On October 30, 2012, I served the following documents through the Court's electronic filing system:

**STIPULATION AND [PROPOSED] ORDER EXTENDING THE TIME TO
FILE A RESPONSIVE PLEADING**

The above document was served electronically on all parties to this case through the Court's electronic mail system as indicated below:

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Attorneys for Plaintiff

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STATE I declare under the laws of the United States of America that I am employed in the office of a member of the Bar of this court at whose direction the service was made and that the foregoing is true and correct.

Executed on October 30, 2012, at San Francisco, California.

/s/ Katie Nelson
Katie Nelson